

## State Water Resources Control Board

January 28, 2019

System No. 4400621

Mike Perugini, Board President  
River Grove Mutual Water Association  
P.O. Box 542  
Felton, CA 95018  
[rgmwa.wm@gmail.com](mailto:rgmwa.wm@gmail.com)

### **CITATION NO. 02\_05\_19C\_003**

### **MONITORING VIOLATION – MISSED NITRATE, INORGANIC CHEMICALS, VOLATILE ORGANIC CHEMICALS, AND SECONDARY MAXIMUM CONTAMINANT LEVEL SOURCE MONITORING FOR CALENDAR YEAR 2018**

Enclosed is Citation No. 02\_05\_19C\_003 (hereinafter "Citation"), issued to the River Grove Mutual Water Association (hereinafter "River Grove MWA") public water system. Please note there are legally enforceable deadlines associated with this Citation.

River Grove MWA will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

River Grove MWA will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the River Grove MWA for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the

30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Jonathan Weininger of my staff at (831) 655-6932 or me at (831) 655-6934.

Sincerely,

A handwritten signature in blue ink that reads "Jan Sweigert". The signature is fluid and cursive, with the first name "Jan" and last name "Sweigert" clearly legible.

Jan R. Sweigert, P.E.  
District Engineer, Monterey District Office  
Northern California Field Operations Branch  
Division of Drinking Water

Enclosures

Certified Mail No. 7008 1830 0004 5435 1278

Email cc: Santa Cruz County Environmental Health Service

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** River Grove Mutual Water Association

**Water System No:** 4400621

**Attention:** Mike Perugini, Board President

P.O. Box 542

Felton, CA 95018

**Issued:** January 28, 2019

**CITATION FOR NONCOMPLIANCE**

**CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) and  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTIONS 64432,  
64432.1(a), 64445.1(b), and 64449**

**NITRATE, VOLATILE ORGANIC CHEMICALS, INORGANIC CHEMICALS, AND  
SECONDARY MAXIMUM CONTAMINANT LEVEL (MCL) CONSTITUENTS  
MONITORING VIOLATION**

**2018**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe



Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 02\_05\_19C\_003 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the River Grove Mutual Water Association (hereinafter "River Grove MWA"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Sections 64432, 64432.1 (a), 64445.1 (b), and 64449.

Applicable statutes and regulations are available on the State Water Board website at:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Lawbook.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html)

### STATEMENT OF FACTS

River Grove MWA is classified as a community public water system with a population of 54, serving 25 connections. River Grove MWA operates under Domestic Water Supply Permit No. 02-05-18P-4400621 issued by the State Water Board on November 28, 2018. River Grove MWA is using an approved surface water source with surface water treatment and arsenic treatment to supply potable water to the distribution system. River Grove MWA provides arsenic treatment for Stream 1301. Arsenic source and treated water monitoring are required monthly by Permit No. 02-05-18P-4400621.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary and secondary drinking water standards as defined in CHSC, Section 116275(c).

1 Primary and secondary drinking water standards include maximum contaminant levels  
2 (MCLs), specific treatment standards, and monitoring and reporting requirements as  
3 specified in regulations adopted by the State Water Board.

4  
5 Pursuant to CCR, Title 22, Section 64432.1(a), River Grove MWA is required to collect  
6 one sample annually for nitrate testing from each source. During the 2018 compliance  
7 period, River Grove MWA failed to collect a nitrate sample from Stream 1301, Primary  
8 Station Code (PSC) 4400621-001.

9  
10 Pursuant to CCR, Title 22, Section 64432, River Grove MWA is required to collect an  
11 inorganic chemical sample set annually from its approved surface water source and  
12 analyze for the inorganic chemicals listed in CCR, Title 22, Table 64431-A. Stream  
13 1301, PSC 4400621-001, was last sampled for inorganic chemicals listed in CCR,  
14 Title 22, Table 64431-A in June 2017 and the result(s) were less than established  
15 MCLs except for arsenic. River Grove MWA collected a perchlorate sample in July  
16 2018, so annual perchlorate monitoring is not overdue. The next inorganic chemical  
17 sample set should have been collected by December 31, 2018. River Grove MWA  
18 failed to collect the required inorganic chemical set samples (except arsenic and  
19 perchlorate) from Stream 1301 (PS Code 4400621-001) by December 31, 2018

20  
21 Pursuant to CCR, Title 22, Section 64445.1, River Grove MWA is required to collect  
22 a volatile organic chemical (VOC) chemical sample set annually from its approved  
23 surface water source and analyze for the chemicals listed in CCR, Title 22, Table  
24 64444-A. CCR, Title 22, Section 64469 requires River Grove MWA to report  
25 electronically the analytical results completed in a calendar month to the State Water  
26 Board no later than the tenth day of the following month. Stream 1301, PSC 4400621-  
27 001, was last sampled for VOC chemicals listed in CCR, Title 22, Table 64444-A(a) in  
28 June 2017 and the result(s) were all less than established MCLs. The next annual



VOC sample should have been collected by December 31, 2018. River Grove MWA failed to collect the required VOC samples from Stream 1301 (PS Code 4400621-001) by December 31, 2018.

Pursuant to CCR, Title 22, Section 64449, River Grove MWA is required to collect a Secondary MCL constituent sample set annually from its approved surface water source and analyze for the Secondary MCL constituents listed in CCR, Title 22, Tables 64449-A and 64449-B. CCR, Title 22, Section 64469 requires River Grove MWA to report electronically the analytical results completed in a calendar month to the State Water Board no later than the tenth day of the following month. Stream 1301 PSC 4400621-001 was last sampled for Secondary MCLs listed in CCR, Title 22, Table 64449-A and 64449-B on the dates shown in the table below.

Analyte	Last Sample Date	Result	Units
BICARBONATE ALKALINITY	2/23/2015	99	mg/L
CALCIUM	2/23/2015	24	mg/L
CARBONATE ALKALINITY	2/23/2015	<2	mg/L
CHLORIDE	2/23/2015	18	mg/L
COLOR	2/23/2015	4	UNITS
COPPER	6/12/2017	<50	ug/L
FOAMING AGENTS (MBAS)	6/12/2017	<0.025	mg/L
HARDNESS (TOTAL) AS CaCO <sub>3</sub>	2/23/2015	77	mg/L
HYDROXIDE ALKALINITY	2/23/2015	<2	mg/L
IRON	2/23/2015	470	UG/L
MAGNESIUM	2/23/2015	4.2	mg/L
MANGANESE	2/23/2015	21	ug/L
ODOR THRESHOLD @ 60 C	2/23/2015	<1	TON
PH, LABORATORY	2/23/2015	6.8	
SILVER	6/12/2017	<0.2	ug/L
SODIUM	2/23/2015	16	MG/L
SPECIFIC CONDUCTANCE	7/16/2018	200	US
SULFATE	2/23/2015	14	mg/L
TOTAL DISSOLVED SOLIDS	2/23/2015	170	mg/L
TURBIDITY, LABORATORY	2/23/2015	6.4	NTU
ZINC	6/12/2017	12	ug/L

The previous Secondary MCL results were all less than established Secondary MCLs except for iron. The next annual Secondary MCL sample set should have been

collected by December 31, 2018. River Grove MWA failed to collect the required Secondary MCL samples from Stream 1301 (PS Code 4400621-001) by December 31, 2018

### DETERMINATION

The State Water Board has determined that the River Grove MWA has failed to comply with primary and secondary drinking water standards pursuant to CHSC, Section 116555(a)(1) and nitrate, inorganic chemical, VOC, and Secondary MCL monitoring requirements pursuant to CCR, Title 22, Sections 64432, 64432.1(a), 64445.1(b), and 64449 during 2018.

### DIRECTIVES

River Grove MWA is hereby directed to take the following actions:

1. Collect a sample from Stream 1301 and analyze for nitrate by **February 28, 2019**, and annually thereafter if the result of the analysis is below half the maximum contaminant level. The analytical result of the sample must be submitted electronically to the State Water Board, by the laboratory, that conducts the analysis, no later than the tenth day of the month following completion of the analyses.
2. Collect samples from Stream 1301 and analyze for inorganic chemicals listed in CCR, Title 22, Table 64431-A, VOCs listed in CCR, Title 22, Table 64444-A, and Secondary MCL constituents listed in CCR, Title 22, Tables 64449-A and 64449-B by **February 28, 2019**. The analytical results of the samples must be submitted electronically to the State Water Board, by the laboratory, that conducts the analysis, no later than the tenth day of the month following completion of the analyses.

- 1 3. By **March 20, 2019** notify all persons served by the River Grove MWA of the  
2 violation of CCR, Title 22, Sections 64432, 64432.1 (a), 64445.1 (b), and 64449  
3 in conformance with Sections 64463.4 and 64465. Appendix 1: Notification  
4 Template must be used to fulfill this Directive, unless otherwise approved by  
5 the State Water Board and contents of Appendix 1 must be approved by the  
6 State Water Board prior to issuance. **River Grove MWA must edit the**  
7 **wording of the notification template as necessary.** The notification must be  
8 completed in accordance with the following:
- 9 • By mail or direct delivery of the Public Notification to each customer served  
10 by the water system and;
  - 11 • By one of the following secondary methods to reach persons not likely to be  
12 reached by mail or direct delivery;
    - 13 ➤ By publication in a local newspaper
    - 14 ➤ by delivery to community organizations or by posting in conspicuous  
15 public places served by the water system
    - 16 ➤ on the internet. If the water system opts to issue the notice via internet  
17 website, the public notice must remain posted for a minimum of seven  
18 (7) consecutive days.
- 19
- 20 4. Complete Appendix 2: Compliance Certification Form. Submit it together with  
21 a copy of the public notification required by Directive 2 to the State Water Board  
22 by **March 27, 2019**.
- 23
- 24 5. Include this violation in the 2018 Consumer Confidence Report in accordance  
25 with CCR, Title 22, Section 64481(g)(1). Submit a draft 2018 Consumer  
26 Confidence Report to the Division by **June 1, 2019** for review and approval  
27 prior to distribution.



6. Develop a water quality monitoring plan that ensures compliance with the monitoring requirements set forth in Title 22 of the CCR. Submit the plan to the State Water Board by **June 10, 2019**.

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Jan R. Sweigert, P.E.

[Dwpdist05@waterboards.ca.gov](mailto:Dwpdist05@waterboards.ca.gov)

The State Water Board reserves the right to make modifications to this Citation that it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the River Grove MWA of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

#### **PARTIES BOUND**

This Citation shall apply to and be binding upon the River Grove MWA, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Citation are severable, and the River Grove MWA shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Jan Sweigert  
Jan R. Sweigert, P.E.  
District Engineer, Monterey District Office  
Northern California Field Operations Branch  
Division of Drinking Water

1/28/2019

Date

**Appendices (2)**

1. Notification Template
2. Compliance Certification Form

Certified Mail No. 7008 1830 0004 5435 1278

## **APPENDIX 1. NOTIFICATION TEMPLATE**

Please use the notification template titled "Monitoring Violations – Annual Notice" found online at:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Notices.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Notices.html)



## APPENDIX 2. COMPLIANCE CERTIFICATION

**Citation Number: No. 02\_05\_19C\_003**

**Name of Water System: River Grove MWA**

**System Number: 4400621**

### Certification

I certify that the users of the water supplied by this water system were notified of the nitrate, inorganic chemical, VOC, and Secondary MCL monitoring violations of California Code of Regulations, Title 22, Sections 64432, 64432.1 (a), 64445.1 (b), and 64449 for the calendar year of 2018 and the required action listed below was completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used: _____	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,  
DIVISION OF DRINKING WATER, NO LATER THAN March 20, 2019.**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one y